

Shelby County Board of Education

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CHARTER SCHOOLS

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I. PURPOSE, MISSION AND VISION

The purpose of this policy is to establish guidelines by which Shelby County Schools (“SCS” or the “District”) shall collaborate with existing and potential District-authorized public charter schools to provide SCS students with the best high-quality educational choices and opportunities designed to ensure all students’ educational needs are appropriately met, including preparation for meaningful post-secondary career or educational opportunities. The vision of SCS’s governing body (the “Board”) in the implementation of this policy is to strategically align the Board’s mission, core beliefs and commitments, SCS’s educational goals, priorities and objectives, and other administrative guiding principles with the resources and expertise of the District and quality charter schools to address student educational needs. When used in this policy, the term “authorizer” refers to the Board and SCS (or the District), collectively.

II. SCOPE

This policy governs the decision-making processes of the authorizer with respect to public charter schools formed and operated in accordance with the Tennessee Public Charter Schools Act of 2002 (“the charter school law”), and the authorizer’s acceptance, review, and evaluation of new charter school applications; the authorizer’s oversight and monitoring of charter schools formed under its jurisdiction; the authorizer’s acceptance, review and evaluation of charter school renewal applications; denial or revocation of a charter school; charter school closures; shared service agreements between charter schools and the authorizer; and the use or purchase of authorizer-owned facilities by a charter school. Additionally, this policy also applies to requests from existing charter schools for expansions of grade bands, school replications, charter agreement modifications or charter school renewals. Finally, this policy applies to the formation and roles and responsibilities of the Charter Partnership Council.

III. POLICY STATEMENT

The Board believes that SCS should work collaboratively with its authorized charter schools to provide the best educational opportunities for all the students of the District, requiring open lines of communication between SCS and charter schools, sharing of information, resources, and best practices, and ensuring that charter schools engage in fair, equitable and lawful treatment of students and families. In support of this belief, the Board and community stakeholders (including various charter school leaders and supporters) collectively developed a *District/Charter/Multi-Operator Compact for Quality Schools*¹ that detailed the shared values/guiding principles needed to collaboratively accomplish ensuring all students are equipped with the necessary skills to experience success.

The shared values/guiding principles include the belief that: 1) all students can learn and achieve to meet and exceed the high expectations of our community and the educational standards of our state; 2) all students in Shelby County deserve adequate and appropriately distributed resources in support of their learning and development; 3) all students should have caring, well-trained, highly-qualified and effective teachers, school leaders and other school personnel; 4) through public and community partnerships, everyone must work in concert to support the growth, development and success of children; and 5) our system of schools can be high performing, accountable, and transparent for all students attending Shelby County School district-managed and authorized schools.

Therefore, the authorizer will take affirmative steps to ensure there is transparency regarding the expectations and standards for charter school approval (including charter school conversions), expansion, modification, replication, performance, renewal and revocation; clear guidance on a fair, rigorous,

¹ The *SCS District/Charter/Multi-Operator Compact for Quality Schools* was adopted by the Board on January 26, 2016.

publicly transparent, and merit-based interim review and renewal decision making and closure processes; clear guidance on the scope of shared services and facility use/purchase; and the establishment of a collaborative approach to ensuring shared input and accountability.

IV. KEY DEFINITIONS

Academic Standards / School Performance Framework (or SPF) – one of the three Core Components of the Performance Accountability Framework used to measure a school’s academic performance. These Academic Standards or SPF are comprised of four (4) categories: Academic Achievement, Academic Growth, College/Career Readiness (applicable only to high schools), and School Climate. Each category is set and weighted as determined by the District and reviewed and approved by the Board.

Charter School Expansion - the addition of one or more new grade levels served at a charter school outside of the original grade levels approved by the Board or the increase of more than 10% of the total of the authorized student enrollment at a charter school.

Charter Agreement Modification – the revision of a charter agreement/application that substantially alters the original Essential Program Terms of the agreement/application.

Charter School Replication - refers to either (a) increasing the number of authorized schools/school campuses or (b) increasing the number of single-site charters granted to the same operator.

Core Components – a three-part set of standards that forms the foundation of the Performance Accountability Framework. Those standards are: (1) Academic Standards / School Performance Framework (or SPF), (2) Operational Standards / Operational Scorecard and (3) Financial Standards / Financial Scorecard.

Cumulative Performance Report (or CPR) - A report setting forth a charter school’s performance record comprised of whichever one of the following is available at the time of a charter’s school review:

- Core Components data for years 1 through 9 of the charter term; or
- Interim Renewal Report Core Components Performance data (years 1 through 4) of the charter term and Core Components data from years five (5) through nine (9) of the charter term.

Essential Program Term (or EPT) - a characteristic of a charter school’s educational program that the approved charter school indicates in its charter school application or charter agreement (if applicable) is critical to the school’s mission, vision and, ultimately, its success. In evaluating EPTs, the District may review elements of a school’s culture (particularly related to discipline) and community partnerships that are distinctive and appear to be essential to the school’s mission and vision. The District’s review of EPTs is designed to measure a charter school’s fidelity to the charter application or compliance with the charter agreement.

Educational Priorities Document/Rubric (or EPDR) – a document designed to provide charter schools with clear guidance on how to align the charter schools’ strategic priorities with the strategic priorities of the District in meeting student needs. The Superintendent shall develop the EPDR and provide it to the Board for review and approval by no later than December of each year prior to being published and made publicly available. The EPDR shall be published and made publicly available each year by February 1.

Financial Standards / Financial Scorecard – one of the three Core Components of the Performance Accountability Framework that is used to measure a school’s financial performance. These standards include, but are not limited to, the following financial indicators: Audit Opinion, Annual Audit, Annual

Financial Report, Going Concern, Internal Control Audit, Findings-Material Weakness/Significant Deficiency, Primary Reserve Ratio, Current Ratio, Debt to Asset Ratio, Enrollment Variance, Total Margin and Aggregated Total Margin, and Debt Service Coverage Ratio. Each indicator is set and weighted as determined by the District and reviewed and approved by the Board.

Interim Review – The fifth year of a charter school’s initial charter term and the fifth year following any renewal of a charter agreement.

Operational Standards / Operations Scorecard – one of the three Core Components of the Performance Accountability Framework that is used to measure a school’s financial performance. These standards include, but are not limited to, seven (7) categories: Benefits, Federal Programs, Health Services, Human Resources, Special Education, Student Information, Student Services, and Student Mobility. Each category is set and weighted as determined by the District and reviewed and approved by the Board.

Performance Accountability Framework – a comprehensive evaluation structure comprised of the Core Components and used by the District in connection with its decision-making authority under this policy to measure the overall performance of a charter school.

Renewal Decision Year - The tenth year of a charter term.

V. COMMITMENT TO QUALITY CHARTER AUTHORIZING PRINCIPLES AND STANDARDS

SCS shall strive to function as a nationally recognized high-quality charter authorizer in compliance with state law and this policy², modeling closely after the Quality Charter Authorizing Standards identified in [Tennessee State Board of Education Policy 6.111](#) as a guiding framework for establishing and maintaining quality authorization principles and standards. The District’s guiding principles and standards for quality charter school authorizing are as follows:

A. Principles for Quality Charter Authorizing

1. *Principle #1 – SCS Maintains High Standards for All Schools* - This includes setting high standards for approving charter applicants; maintaining high standards for all of the schools the district oversees; effectively cultivating quality charter schools that meet identified educational needs of the district; overseeing charter schools that, meet the performance standards and targets set forth in their charter contracts through established measures and metrics including contractual benchmarks defining reasonable progress; and closing schools that fail to meet standards and targets set forth in law and by contract.
2. *Principle #2 – SCS Upholds School Autonomy* – This includes honoring and preserving core autonomies crucial to school success, including governing board independence from the authorizer, personnel, school vision and culture, instructional programming, and budgeting; assuming responsibility not for the success or failure of individual schools, but for holding schools accountable for their performance; minimizing administrative and compliance burdens on schools; and focusing on holding schools accountable for outcomes rather than processes.

² See Policy 6.111 Quality Charter Authorizing Standards, TN State Board of Education, developed in partnership with the National Association of Charter School Authorizers (NACSA) and the Tennessee State Board of Education, <http://www.qualitycharters.org>.

3. *Principle #3 – SCS Protects Student and Public Interests* – This includes making the well-being and interests of students the fundamental value informing all the authorizer’s actions and decisions; upholding district conflict of interest policies; holding schools accountable for fulfilling fundamental public education obligations to serve all students; holding schools accountable for fulfilling fundamental public education obligations to the public; and ensuring in its own work ethical conduct, focus on the mission of chartering high-quality schools, transparency, effective and efficient public stewardship, and compliance with applicable laws and regulations; and supporting and engaging parents and students in being well-informed about and contributing to the quality of education provided by charter schools.

B. Standards of Quality Charter Authorizing

1. *Standard #1 – District Commitment and Capacity* - The District will:
 - develop and communicate a clear authorizing mission and vision;
 - articulate and implement an intentional strategic vision and plan for chartering, including clear priorities, goals and time frames for achievement in alignment with its overall strategic plan;
 - evaluate its work on a regular basis against national standards for quality authorizing and recognized effective practices;
 - create and communicate an annual charter report to the Board, Executive Staff and Community; and
 - determine the financial needs of the District office responsible for charter schools and budget according to the scale of the charter school portfolio and needs to meet the mission as a high-quality charter authorizer.
2. *Standard #2 – Application Process and Decision Making* – The District will:
 - develop an Educational Priorities Document/Rubric (EPDR) to provide charter schools with clear guidance on how to align their strategic priorities with the strategic priorities of the District in meeting student needs;
 - ensure the charter application process is rigorous, thorough and transparent, and organized around clear, realistic timelines;
 - organize and train review teams with both external and internal evaluators;
 - provide extensive training and follow review teams through the application process; and
 - create and consistently evaluate both renewal, expansion, and replication applications to align with the Tennessee State Board of Education Quality Charter Authorizing Standards policy and the National Association of Charter School Authorizers (NACSA) quality authorizing standards and principles.
3. *Standard #3 – Performance Contracting* – The District will:
 - endeavor to execute a contract with each charter governing board;
 - collaborate with charter school administrators and/or governing board attorneys to ensure mutual understanding of terms and conditions; and
 - clearly articulate the performance standards created in conjunction with national best practice aligned with the Tennessee State Board of Education Quality Charter Authorizing Standards policy and the National Association of Charter School Authorizers (NACSA) quality authorizing standards and principles.
4. *Standard #4 – Ongoing Oversight and Evaluation* – The District will:
 - design and implement a comprehensive pre-opening manual articulating the necessary elements to open after approval;
 - design and implement a comprehensive performance accountability and monitoring system

- defined by the charter contract (or approved charter application if no contract is executed), with necessary information to make rigorous and standard-based expansion, modification, renewal, revocation and intervention decisions;
- communicate the oversight and evaluation process to schools;
 - ensure schools are aware of changes in the charter law that directly affect them;
 - provide Charter School Annual Report to schools;
 - visit each school at least once per year;
 - as per state law, require an annual report from a charter school;
 - as per state law, require from a charter school an annual financial audit, conducted by a qualified independent auditor;
 - post Charter School Annual Report on the website for public viewing;
 - publish guidance on interventions by the District office responsible for charter schools; and
 - give schools clear, adequate and evidence-based notice of charter agreement/application violations, ensuring they are aware of the types of actions and consequences that may occur.
5. *Standard #5 – Revocation and Renewal Decision Making* – The District will:
- design and implement a transparent and rigorous process that uses comprehensive academic, financial, and operational performance data to make merit-based renewal and revocation decisions;
 - provide to each school, in advance of the renewal decision, a cumulative performance report summarizing the school's performance over the charter term and its prospects for renewal;
 - clearly communicate to schools the criteria for charter revocation, renewal, and non-renewal decisions that are consistent with the charter agreement/application and Board policy;
 - promptly communicate renewal or revocation decisions to the school community and public within a time frame that allows parents and students to exercise choices for the upcoming year;
 - revoke charters when necessary to protect student and public interest; and
 - design and implement fair and transparent closure processes.

VI. CHARTER SCHOOL AUTHORIZATION

A. Application Content and Scoring

The District shall adhere to Tennessee state law and regulations adopted by the Tennessee State Board of Education (where applicable) with respect to the required charter school application content and scoring.

B. Evaluation Criteria

Charter school applications shall be evaluated using the criteria set forth by the Tennessee Department of Education (TNDOE), and, where applicable and/or required, considering one or more of the following additional criteria:

1. *Charter School Application Preference* - The District shall give preference to new applicants that demonstrate the capability to meet the needs of one or more of the following groups of students:
 - a. Students who are assigned to, or were previously enrolled in, a school identified as a priority school, as defined by the state's accountability system;
 - b. Students who, in the previous school year, failed to test proficient in the subjects of reading/language arts or mathematics in grades three through eight (3-8) on the Tennessee comprehensive assessment program examinations;

- c. Students who, in the previous school year, failed to test proficient in the subjects of reading/language arts or mathematics on the end of course assessments in grades nine through twelve (9-12); or
- d. Students who are eligible for free or reduced- price lunch

However, preference for applications with the focus of serving students from one or more of the groups listed above will not reduce the score of applications that demonstrate other strengths or focuses.

- 2. *Needs Alignment Assessment Using the Educational Priorities Document/Rubric (EPDR)* - The District may consider a charter school applicant's willingness and ability to meet the needs identified in the EPDR for strategic partnership purposes.
- 3. *Past and Current Performance of the Charter School Sponsor* - Where applicable, the past and current performance, including student growth and achievement, of any charter school operated by the same sponsor shall be considered.
- 4. *Substantial Negative Fiscal Impact to the District* - The District shall consider whether the establishment of a proposed charter school will have a substantial negative fiscal impact on the District such that authorization of the charter school would be contrary to the best interest of the students, the District or community.
- 5. *Feasibility of Proposed Geographic Location* – The District shall consider whether the establishment of a proposed charter school in a particular geographic location of the LEA is feasible or will create oversaturation in the proposed geographic location.

C. Charter Applicant Interviews

The charter sponsor shall be afforded an interview to provide further clarity on the content of the application. All interview questions should be within the scope of the answers provided by the applicant in its application responses.

D. Charter Application Review Team

A Charter Application Review Team (CART) shall be appointed by the Superintendent (or designee) to assist with the review of applications for newly created charter schools (including charter school conversions). The CART shall include a representative(s) from the District office responsible for charter schools, a parent and/or community member, an external charter school authorizing expert, a parent and/or community member and individuals with expertise from, but not be limited to, the following areas: Charter School Leadership, English Language Learner/SPED, Curriculum and Instruction, Professional Development, Academics, Operations, Student Supports, Coordinated Student Health, Mental Health, Finance, and Human Resources.

The CART shall be appropriately trained and supported by the District office responsible for charter schools.

E. Charter School Conversions

The Board may authorize the conversion of an existing public school to a public charter school through one of the following methods:

1. *Parent/Teacher Conversion Petition* – An existing public school may convert to a public charter school if the parents of at least 60% of the children enrolled in the school, or at least 60% of the teachers assigned to the school, support the conversion and demonstrate such support by signing a petition seeking conversion, and if the authorizer approves the application for conversion. The percentage of parents signing a petition must be calculated based on one (1) vote for each child enrolled in the school.
2. *Board Conversion Request* – The Board may request that a sponsor apply to convert an existing public school to a public charter school. Upon the Board’s review of a sponsor’s application for a new public charter school, the Board may request that the sponsor amend the public charter school application to provide for the conversion of an existing public school. However, nothing in this section requires the Board to approve such an application.
3. *Charter School Sponsor Conversion Application* - A charter school sponsor may apply to the Board to convert an existing public school to a charter school. The Board shall act on the application within the time frames set under T.C.A. §§ 49-13-107 and 49-13-108.

Each method listed above shall be subject to the provisions provided above under Sections VI.A and VI.B above, and applicable state law. However, pursuant to the charter school law, no charter agreement shall be granted that authorizes the conversion of any private, parochial, cyber-based or home-based school to charter status. A parent of a child who is enrolled at a conversion public charter school may enroll his or her child in another public school without penalty, and the conversion public charter school shall occupy the converted public school’s existing facility.

VII. CHARTER SCHOOL AGREEMENT AND ANNUAL AUTHORIZER FEE

A. Charter School Agreement

The authorizer’s approval of a public charter school application shall be in the form of a written charter agreement signed by the sponsor and the authorizer, which shall be binding upon the governing body of the public charter school. The charter agreement for a public charter school shall be in writing, contain all material components of the approved application, and be for a charter term of ten (10) academic years, beginning on the first day of instruction. Likewise, a renewal of a charter agreement/approved application shall also be for a period of ten (10) academic years. EPTs shall be derived from the charter school agreement or charter application, if applicable.

B. Petitions to Amend the Charter Agreement

The governing body of a public charter school may petition the authorizer to amend the original charter agreement. The authorizer shall consider petitions that have been made in writing and submitted to the District office responsible for charter schools on or before April 1 of the academic year preceding the year in which the proposed amendment plans to become effective. The Board shall vote by resolution, at a regular or special called meeting, on the approval or denial of a charter amendment within ninety (90) days of receipt of the petition. Additional timelines for approval and the appeal process in T.C.A. § 49-13-108 shall apply to all petitions to amend the original charter. The governing body of a charter school may also petition the authorizer to allow a voluntary termination of the charter school prior to the expiration of the charter, which petition the authorizer shall consider and vote by resolution, at a regular or special called meeting, on the approval or denial of the petition within ninety (90) days of the petition’s

receipt.

The Board shall follow the guidelines provided in this policy that govern the evaluation of all petitions that contain requests for charter school expansions, charter school replications and charter agreement modifications.

C. Annual Authorizer Fee

The authorizer shall receive an annual authorizer fee that is a percentage of the charter school's per student state and local funding as allocated under T.C.A. § 49-13-112. The annual authorizer fee shall be the lesser of three percent (3%) of the annual per student state and local allocations or thirty-five thousand dollars (\$35,000) per school. The authorizer shall use the annual authorizer fee exclusively for fulfilling authorizer approval, oversight and monitoring obligations as set forth by the charter school law and Tennessee State Board of Education Rule 0520-14-01-.05.

VIII. CHARTER SCHOOL PERFORMANCE STANDARDS

A. Performance Accountability Framework

To fulfill its commitment to high-quality charter school authorizing, oversight and monitoring, the District shall evaluate charter schools using the Performance Accountability Framework (see definition above). The Performance Accountability Framework shall also be used to evaluate charter school applications for grade band expansions, charter school agreement modifications and school replications; to determine which charter schools are subject to revocation or non-renewal for failure to meet or make reasonable progress towards the goals set forth in the charter agreement/application or provided by law; and to make facility use decisions.

B. Accountability Process

Charter schools not meeting the minimum expectations set by the Superintendent (and approved by the Board) under the Performance Accountability Framework will receive written communication from the District about their performance each year, and specifically at the timelines stated below:

1. *Not Meeting Expectations - Year One* - After one (1) school year (with test data) of not meeting expectations, the charter school (board and administration) will be requested to create an Action Plan for addressing their school's low performance and to meet with the District to discuss the Action Plan. However, the charter school shall maintain full autonomy over the Action Plan, The District shall not serve as an arbiter of the Action Plan's quality or likelihood of success.
2. *Not Meeting Expectations – After Year Three* - After three (3) consecutive school years (with test data) of not meeting expectations set forth in any one of the three (3) core components of the Performance Accountability Framework and upon completion of one full academic year of implementing the Action Plan, the Superintendent shall make a recommendation to the Board for revocation of the charter school's charter. (See *Charter Revocation* section below)
3. *Charter Schools with Two Years or More of Test Data* - Any charter school with current Action Plans as of the effective date of this policy is subject to the above accountability process and shall enter the Accountability Process described above under Subsection 2 (*Not Meeting Expectations – After Year Three*) above. In the event of egregious acts, malfeasance, or severe under performance (academic, operations, and/or financial) by a charter school that are not addressed appropriately by the charter school's administration and/or board, the District is expected to act in

the best interests of the children and families of SCS, which may include immediate action or revocation of the school's charter.

4. *Egregious Acts, Malfeasance or Severe Underperformance* – In the event of egregious acts, malfeasance, or severe under performance (academic, operations, and/or financial) by a charter school that are not addressed appropriately by the charter school's administration and/or governing board, the authorizer is expected to act in the best interests of the children and families of SCS, which may include immediate action or revocation of the school's charter.

IX. CHARTER SCHOOL REQUESTS FOR CHARTER SCHOOL EXPANSIONS, CHARTER SCHOOL REPLICATIONS, AND CHARTER AGREEMENT MODIFICATIONS

A. Application Process

The District shall consider requests for charter school expansions, charter agreement modifications and charter school replications only after one (1) or more of the charter schools operated by the charter school operator has been in operation for at least three (3) academic years. All requests for charter school expansions and charter agreement modifications shall be subject to state law and the Board policy provision governing the submission of petitions to amend a charter agreement. All requests for charter school replications shall be subject to state law, the rules and regulations of the Tennessee State Board of Education and subsection B.2 below.

B. Evaluation Criteria

1. *For Charter School Expansion Requests* – In conjunction with EPDR and fiscal impact assessments, the Board shall use the following criteria to determine whether to approve a charter school expansion request:
 - a. A charter school operator that operates a single-site charter school will have its request for expansion recommended to the Board for approval if the school has a current composite score of 3.0 or better in each of the three core components (i.e. academic, operational, and financial) of the Performance Accountability Framework.
 - b. A charter school operator that operates two or more charter schools or campuses will have its request for expansion recommended to the Board for approval if (i) each of the operator's schools or campuses has a current composite score of 3.0 or better in each of the three core components (i.e. academic, operational, and financial) of the Performance Accountability Framework, and (ii) the school or campus the operator is seeking to expand is not on an Action Plan.
2. *For Charter School Replication Requests* – A request to replicate an existing District-authorized charter school shall be submitted as a new charter school application that is subject to requirements and timelines established by law and Board policy for approving or denying a newly established charter school. In conjunction with EPDR and fiscal impact assessments, the Board shall also use the following criteria to determine whether to approve an application to replicate a charter school:
 - a. A charter school operator that operates a single-site charter school will have its request for charter school replication recommended to the Board for approval if the school has a current composite score of 3.5 or better in each of the three core components (i.e. academic, operational, and financial) of the Performance Accountability Framework.
 - b. A charter school operator that operates two or more charter schools or campuses will have its request for charter school replication recommended to the Board for approval if (i) each of the operator's schools or campuses has a current composite score of 3.5 or

better in each of the three core components (i.e. academic, operational, and financial) of the Performance Accountability Framework; and (b) none of the schools/campuses the operator operates are on Action Plans. A charter school operator that operates two or more charter schools or campuses may have its request for charter school replication recommended to the Board for approval if all but one of the operator's schools or campuses has a current composite score of 3.5 or better in each of the three core components.

3. *For Charter Agreement Modification Requests*– In conjunction with an EPDR assessment, the Board shall use the following criteria to determine whether to approve a charter school agreement modification request:
 - a. A charter school operator that operates a single-site charter school will have its request for charter agreement modification recommended to the Board for approval if the school has a current composite score of 3.0 or better in each of the three core components (i.e. academic, operational, and financial) of the Performance Accountability Framework.
 - b. A charter school operator that operates two or more charter schools or campuses will have its request for charter agreement modification recommended to the Board for approval if each of the operator's schools or campuses has a current composite score of 3.0 or better in each of the three core components (i.e. academic, operational, and financial) of the Performance Accountability Framework.
 - c. Requests made under this section shall be reviewed for legal form, sufficiency and content by the Office of the General Counsel prior to submission to the Board for approval.

X. ANNUAL REVIEW AND REPORTING REQUIREMENTS

A. State-Required Annual Progress Reports from Charter Schools

The District shall require a charter school's governing body to submit an annual progress report to the District that contains the following information:

1. The school's progress towards achieving the goals outlined in its charter;
2. The same information required in reports prepared by the District pursuant to state laws and regulations (see X.C. below);
3. Financial records of the school, including revenues and expenditures;
4. A detailed accounting, including the amounts and sources, of funds other than those received under T.C.A. § 49-13-112(a), including, but not limited to, any funds received from sources under T.C.A. § 49-13-112(f); and
5. Any other information requested by the District pursuant to Board policy.

B. District-Required Charter School Annual Performance Report

Once data becomes available each school year, the authorizer shall complete an Annual Performance Report (APR) that provides clear, accurate performance data for charter schools on individual school and overall portfolio performance under the Performance Accountability Framework. This report shall be made available to the charter schools and the public and published via the District's website.

C. State-Required Annual Authorizer Progress Reports to the TNDOE

By January 1 of each year, the authorizer shall submit to the TNDOE and the Tennessee State Board of Education an annual authorizing report that includes the following information:

1. The results of all approved charter schools' annual audit of accounts and records, as is required

- by all charter schools' governing bodies under the state's charter school law;
- 2. The operating status of the District-approved charter schools with the designation of:
 - a. Approved but not yet open;
 - b. Opening and operating;
 - c. Revoked, including the reason for revocation;
 - d. Non-renewed; or
 - e. Closed, including date of closing and the reason for closing;
- 3. The oversight and contracted services, if any, provided by the District to approved charter schools; and
- 4. A performance report for each charter school in accordance with the Performance Accountability Framework set forth in the charter agreement/charter application.

XI. CHARTER SCHOOL INTERIM AND OTHER PERIODIC REVIEWS

A. Frequency of District Interim Reviews

As is required under the charter school law, the authorizer shall conduct an interim review of each charter school in the fifth year of a charter school's initial period of operation and in the fifth year following any renewal of a charter agreement, using the guidelines developed by the TNDOE.

B. Interim Review Reports – Content and Timing of Charter School Submission

The authorizer shall require charter schools to submit an Interim Review Report to the District that complies with state law and TNDOE guidelines in the charter school's reporting on its progress in achieving the goals, objectives, pupil performance standards, content standards and other terms of the approved charter agreement/application, and any additional requirements set forth by the District. The District shall require that charter schools to submit a completed Interim Review Report to the District and the TNDOE no later than December 1 of the charter school's fifth operational year and/or fifth year following any renewal of a charter agreement. The Interim Review Report submitted by a charter school (or the charter school's failure to submit the Interim Review Report) shall be considered in the District's evaluation of a charter school's performance and whether to non-renew or revoke a school's charter.

C. Interim Review Evaluation Criteria

The District shall perform its interim review of charter schools by relying on the results of the following reports:

- 1. Interim Review Report submitted by the charter school (see XI.B. above);
- 2. Interim Performance Accountability Framework Report prepared by the District - The Interim Performance Accountability Framework shall consist of the three core components of the Performance Accountability Framework (i.e. academic standards, operations standards, and financial standards), and an additional component reflecting the results of the charter school's annual independent financial audit);
- 3. Interim Site Visit Report prepared by the Evaluation Team (see XI.D. below) – The Interim Site Report shall consist of the results of an interim site visit, which shall include summaries of the responses/comments obtained from key representative groups.

D. Interim Review Site Visits and Evaluation Team

The District office responsible for charter schools shall assemble an Evaluation Team that will be responsible for conducting interim review site visits and comprised of representatives from the District office responsible for charter schools, District partners, and one independent reviewer. During its interim

review site visits, the Evaluation Team shall request to meet with the following four (4) separate representative groups (if assembled) to gather additional information related to a charter school's current academic, operational and financial performances; observe, discuss, and collect evidence regarding Essential Program Terms (EPT) in order to assess the charter school's fidelity to the charter application or charter agreement; and communicate with the charter school governing board and leadership about current performance and future plans:

1. *Charter School Administrative/Board Representatives (3-6 individuals)* – Composed of charter school leadership, the chairperson of the charter school's governing board, and one additional charter school board member (optional)
2. *Charter School Staff Representatives (4-6 instructional staff members)* – Composed of a combination of teachers with less than 5 years' teaching experience and teachers with 5 or more years of teaching experience, as well as representation from content area and elective subjects, where applicable. Two to three teachers from this group will be randomly selected for observations. In order to be eligible to serve as a staff representative in this group, the staff member representative must not have children enrolled at the charter school being reviewed.
3. *Parent Representatives (4-8 individuals)* – Composed of parents of current students enrolled at the charter school of various grade levels and demographics. It is preferable that parents of new students (year 1 enrollment) as well as parents of students who have attended the school for more than one year be included. Parents who are also staff should not be included. However, parents of one graduate may be included.
4. *Student Focus Group Representatives (1-2 individuals)* – Where appropriate (5th grade – 12th grade), no more than two (2) student representatives of each grade level in the school shall participate in a focus group. New (year 1) and returning students shall be represented. Students of staff should not be included.

The Evaluation Team must complete its interim review site visit of the charter school prior to the District's submission of a Final Interim Performance Report to the Board.

The District office responsible for charter schools shall collaborate with the charter school to determine whether a charter school has modified its EPTs since its opening.

E. Final Interim Performance Report

At the conclusion of a charter school's interim review, the District office responsible for charter schools shall submit to the Board and the charter school a comprehensive Final Interim Performance Report comprised of the following information: the Interim Performance Accountability Framework Report; the Interim Site Visit Report, which shall include summaries of the responses/comments obtained from the four (4) representative groups identified in Section XI.D. above; the Interim Review Overall Rating; and the District's Interim Review Board Recommendation (if the recommendation is to revoke or non-renew a charter).

The Interim Review Overall Ratings options shall be as follows: "On track for renewal"; "Off-track, at risk for non-renewal"; "Severely off track, at risk for revocation" or "Revocation Recommended".

If the Interim Review Overall Rating identified in the Final Interim Performance Report is "Revocation Recommended," then such identification shall be accompanied with a detailed explanation corresponding to the core component(s) of the Performance Accountability Framework forming the basis for the recommendation and/or any other reason(s) for the recommended revocation, along with supporting documentation.

F. Other Periodic Reviews: Cumulative Performance Reports

Pursuant to the charter school law, three (3) months prior to the date on which a public charter school is required to submit a renewal application, the authorizer shall submit to the public charter school a performance report that reflects the renewal evaluation as described in Section XII below. This report, referred to as the Cumulative Performance Report (“CPR”), shall reflect a cumulative record of the charter school’s performance throughout its current charter term, using the core components of the Performance Accountability Framework (i.e., academic standards, operations standards, and financial standards) and an additional component reflecting the results of the charter school’s annual independent financial audit.

An updated Cumulative Performance Report (“CPR”) shall be provided in the beginning of the charter school’s renewal year. Each school will be allowed to confirm, correct (with evidence), and/or provide additional information about the record of performance that the District compiles in the initial and updated CPR.

XII. CHARTER RENEWALS³

A. Renewal Eligibility

In order for a charter agreement/approved application to be deemed eligible for renewal for another 10-year charter term, the charter school governing body must submit a renewal application to the District office responsible for charter schools no later than April 1st of the year prior to the year in which the charter expires. A charter school governing board that fails to submit a renewal application by the April 1st deadline shall not be deemed eligible for renewal consideration.

B. Renewal Application

The District shall consider a renewal application that is timely submitted by charter school on the charter school renewal application form provided by the TNDOE,⁴ with the information requested pertaining to the school’s operations during the nine (9) years preceding the date of the renewal application. Such information shall include, but is not limited to⁵, students’ standardized test scores, TVAAS results, charter school financial statements, and the results of the school performance audits.

C. Renewal Evaluation Criteria

The District shall review all timely submitted charter renewal application and consider the following items as part of its review:

1. *Charter School’s State Renewal Application* (see XII above)
2. *SCS Renewal Application Supplemental Requirements* – In supplement to the renewal application, the District shall review and consider the following:
 - a. Cumulative Performance Report;
 - b. Outcome of Renewal Site Visits (see Section XI above); and
 - c. Essential Program Terms (See Section VII above).
3. *District’s Most Recent Final Interim Review Report for the Charter School* (see XI above).
4. *Any Required Basis for Non-Renewal as Provided in this Policy.* (See XIII below)

³ This section is applicable to Charter Schools up for renewal in the 2019-20 School Year.

⁴ The Tennessee Department of Education promulgates the charter renewal application and makes it available online.

⁵ T.C.A. § 49-13-121; See also, TNDOE Charter School Renewal Application.

5. *Any Discretionary Basis for Non-Renewal as Provided in this Policy.* (See XIII below)

D. Renewal Report

Following a complete review of a renewal application, the District office responsible for charter schools shall submit to the Board a comprehensive Renewal Report, which shall be comprised of the following elements and provided to each charter school renewal applicant:

1. SCS Final Updated CPR;
2. Charter School's Response to Updated CPR;
3. 5-Year Interim Review Report;
4. Charter School Responses to the State Charter Renewal Application;
5. Charter School Responses to the SCS Supplemental Renewal Application Requirements;
6. Results of the Independent Financial Audit from the preceding year;
7. Renewal Site Visit Report;
8. Individual Scores for each of the three core components of the Accountability Performance Framework (i.e. academic standards, operations standard and financial standards); and
9. Recommendation for Renewal or Non-Renewal (with clearly stated reasons for non-renewal, if applicable).

E. Informal Renewal Hearing

If the Renewal Report contains a recommendation to non-renew a charter, the Board shall conduct an informal renewal hearing publicly. Within ten (10) business days after the Board's receipt of the Administration's recommendation, the District office responsible for charter schools (or designee) shall notify the charter school in writing of the date, time, and location for the hearing. All informal renewal hearings shall occur at least five (5) business days before the Board votes by resolution on the renewal recommendations.

The informal renewal hearing is an opportunity for a school to discuss its application for charter renewal and address the Interim Review/Renewal Report and/or recommendation for non-renewal/revocation. During the hearing, the Office responsible for charter schools shall present its basis for recommending non-renewal, charter school representatives may present their basis for renewal, the Board may ask questions of the charter school and its staff, and the public will be invited to comment on the recommended action to non-renew. Only upon request by the Board may the charter renewal applicant submit additional documents. The Board and/or the Superintendent (or designee) may request an updated Renewal Report to be considered in the renewal decision.

F. Renewal Decisions

On or before the February 1 of the year in which the charter expires, the authorizer to which the renewal application was submitted shall rule by resolution to approve or deny the public charter school's renewal application. The authorizer shall consider the renewal application, the annual progress reports required under T.C.A. § 49-13-120, and the Renewal Report when deciding whether to approve or deny the public charter school's renewal application.

Upon approval of a renewal application, the Board or the charter school may request an update to the Charter Agreement, whichever is applicable, when determined necessary to comply with the charter school's updated Essential Program Terms and/or the law.

Any renewal application denied by the Board shall result in the closure of the charter school in accordance with State law/rules/regulations and Board closure policy and procedures.

G. Appeals of Decisions to Non-Renew a Charter

If the Board denies a renewal application, the charter school's governing body may appeal to the governing body of the Tennessee Public Charter School Commission no later than ten (10) days of the Board's decision to deny renewal.

H. Renewal Timeline – Publication

To ensure transparency in the renewal process, a Renewal Timeline will be published on the District's website for public viewing and access by no later than 60 days prior to the implementation of the timeline. The timeline will provide the relevant dates aligned to this policy and accompanying administrative rules and regulations and procedures. The timeline, including any subsequent revisions, will be reviewed and approved by the Board prior to its distribution/publication.

XIII. CHARTER REVOCATION

A. Grounds for Required Revocation

The Board shall revoke or deny renewal for a public charter school agreement if the school receives identification as a priority school, as defined by the state's accountability system pursuant to § 49-1-602, for two (2) consecutive cycles beginning in 2017. The Board shall vote by resolution to revoke or non-renew the school's charter agreement under this section within 30 business days of the Board's receipt of notification of the school's identification as a priority school or at the next scheduled Board Business Meeting, whichever occurs later. Such revocation shall take effect immediately following the close of the school year in which the school is identified as a priority school for the second consecutive cycle, and the Board shall require the charter school to follow the school closure procedure outlined by state law/rules/regulations and Board policy.

The Board's decision on this basis is not appealable.

B. Grounds for Discretionary Revocation

The Board may revoke or non-renew a public charter school agreement on any of the following grounds:

1. Identification of the Charter School as a Priority School, as defined by the state's accountability system pursuant to § 49-1-602 for 2017 or any year thereafter, for a single non-consecutive cycle. In determining whether revocation or non-renewal is appropriate under this subsection, the Board may consider and weigh factors such as the length of time in which the school has been open; evidence and/or indicators of steady growth and improvement as reflected in the charter school's year-over-year academic, financial and operational scorecards; whether the charter school has consistently maintained at least 80% of its projected student enrollment; and the number, nature and scope of parent complaints about the charter school's operations.
2. Material Violation of the Conditions, Standards, or Procedures Set Forth in the Charter Agreement/Application
3. Failure to Meet Charter Agreement/Application Performance Requirements
4. Failure to Meet Generally Accepted Standards of Fiscal Management
5. Statutory Conditions for Non-Approval as Specified in the Charter School Law
6. Egregious Acts or Malfeasance by the Charter School

Prior to a recommendation for revocation of a charter school for any of the grounds listed in this subsection (B), the District office responsible for charter schools shall conduct a review of the charter

school's performance using the Performance Accountability Framework. The review shall consist of one or more of the following reports: the State-Required Annual Progress Report; the District-Required Annual Performance Report; the most recently completed Five-Year Interim Review Report; and/or the Renewal Report required by state law and regulations and Board policy. Additionally, the District office responsible for charter schools shall prepare a detailed report of the request for and the Action Plan(s) submitted by the charter school and the outcomes, where applicable.

C. Voluntary Closure / Charter Termination

Per state law and upon request by the governing board of a charter school, the District may allow the charter school's governing body to voluntarily terminate the charter school prior to the expiration of the charter. In such cases, if a public charter school voluntarily closes, its charter agreement with the authorizer shall cease to be effective as of the closing date, and the Board shall require the charter school to follow the school closure procedure outlined by state law/rules/regulations and Board policy.

XIV. CHARTER SCHOOL CLOSURE PROCEDURE

A. Recommendation to Revoke/Non-Renew Charter Agreement and Close School

1. *Required Notices Regarding Recommended Action* - Except in extenuating circumstances, no later than February 1 of each school year, the Superintendent shall provide the Board with recommendations for consideration of charter school closures. The Superintendent (or designee) shall also give notice to the administration, governing board and sponsor of the charter school recommended for closure. Within five (5) calendar days from providing notice to the Board and the charter school's administration, governing board and sponsor, the Superintendent (or designee) shall provide public notice that closure of the charter school shall be recommended to the Board.
2. *School Closing Impact Report* - Within five (5) calendar days after notice of recommendation for school closure is provided to the Board and the charter school's administration, governing board and sponsor, the Superintendent shall submit to the Board and the charter school's administration, governing board and sponsor a School Closing Impact Report which shall contain the following information:
 - a. The Performance Accountability Framework Review Report, Action Plan Report, and any additional documentation supporting the recommendation to close a school.
 - i. *Exception:* Only in cases provided by law or extenuating/emergency situations as determined by the Board may the District be exempt from providing a Performance Accountability Framework Review and/or Action Plan Report. In such cases, the Superintendent (or designee) shall provide to the Board a written justification for the closure recommendation.
 - b. A proposed timeline, as outlined in the charter school law, for post-closure public and parent meetings and communications related to the potential closure, including information regarding the school options for students.
 - c. The academic impact on the affected students.
 - d. An analysis of the impact of the school closing on students, teachers, parents, and the neighborhood within which the charter school is located.
 - e. An analysis of the fiscal impact on the District (e.g. transportation, facilities, shared services, contracted services, etc.) for closing the school.

B. Board Decision to Revoke/Non-Renew Charter Agreement and Close School

1. *Charter School Closure Hearing* - Within ten (10) calendar days after its receipt of the School Closing Impact Report, the Board shall schedule a Charter School Closure Hearing, which shall be open to the public and properly noticed. The Superintendent (or designee) shall notify the charter school recommended for closure of the Charter School Closure Hearing thirty (30) days prior to the hearing date. The notification shall be made in writing and notify the charter school of the possibility of its revocation and state the reasons for such possible revocation. The Closure Hearing is an opportunity for a charter school to discuss its status and address the closure recommendation. During the hearing, the Office responsible for charter schools shall present its basis for recommending school closure, charter school representatives may present the school's basis for not closing, the Board may ask questions of the charter school and its staff, and the public will be invited to comment on the recommended action to close the school. Only upon request by the Board may the charter school submit additional documents.
2. *Board Decision* – In matters where the Board has discretion to revoke or non-renew a charter, the Board shall render its decision to revoke or deny renewal of a public charter school agreement/application and close a charter school within a reasonable time following the Charter School Closure Hearing or by any relevant required statutory deadline, whichever is applicable.

C. Timeline Following Closure Decision

Upon the Board's decision to revoke or deny renewal of a public charter school agreement/application and close a charter school, the Superintendent (or designee) shall complete the following tasks according to the following timelines:

1. Except in extenuating circumstances, conduct a minimum of two (2) public meetings to provide information to the public regarding the charter school closure (e.g. reiterate closing rationale, provide parents with school options and the transfer/enrollment process, etc.).
2. Within two (2) calendar weeks following the authorizer's closure decision, the Superintendent (or designee) shall meet with the charter school's governing body and leadership to establish a transition team as identified in the charter school law who shall attend to the closure, including the areas outlined in T.C.A. § 49-13-130(2).
3. Except in extenuating circumstances, within twenty (20) calendar days following the closure decision and on a regular basis thereafter, the Superintendent (or designee) and transition team shall provide key information regarding the school's closing to families of students enrolled in the school, school staff and other affected stakeholders.
4. Within thirty (30) days following the closure decision, the Superintendent (or designee) and transition team shall communicate to the families of students enrolled in the school all other public school options for which the student is eligible to enroll.
5. Within forty-five (45) days following the closure decision, the Superintendent (or designee) and transition team shall notify all agencies, employees, insurers, contractors, creditors, debtors and management organizations of the charter school closure.

D. Immediate/Emergency Closure

Immediate/emergency closure of a charter school may be recommended based on the reasons outlined above or in the charter school law, including the case of fraud, misappropriation of funds, flagrant disregard of the charter agreement or similar conduct. In such cases, the general closure process above

may be used if permitted by state law and is in the best interest of students as determined by the Board. Otherwise, notifications to parents, charter schools, and the public shall be made as soon as practical but should conclude no later than the end of the current school year.

E. Right to Appeal

A charter school's right (if any) to appeal the Board's decision to close the school shall be subject to all applicable state laws/rules and regulations.

XV. SHARED SERVICES AGREEMENTS

A. General Statement

The Board is committed to supporting opportunities to appropriately value, and effectively and efficiently utilize, all available resources in order to maximize student success and access to high-quality, high-performing schools. To ensure this is accomplished in a fair, transparent and equitable manner, any shared service, whether fee-based or not, shall be set forth in a service agreement that respects charter school autonomy and treats the charter school equitably compared to traditional District schools, if applicable, and ensures that purchasing such services is explicitly not a condition of charter approval, continuation, or renewal.

The District is authorized to enter into shared service agreements with its charter schools in areas where the District is able to provide access to at a lower cost through its larger scale purchasing power (i.e. has economies of scale) or services/products with lower costs, added value, and quality of service comparable or better than available otherwise (i.e. has a competitive advantage) in order to provide access to products and/or services to charter schools that better leverage public resources for the benefit of Shelby County students. The District reviews and decides which services it can make available.

All shared services agreements authorized under this policy shall be in compliance with applicable state law/policy/regulations and Board policy, and shall be drafted in a manner that recognizes charter school autonomy and treats the charter school equitably compared to traditional District schools, if applicable, and ensures that purchasing such services is explicitly not a condition of charter approval, continuation, or renewal.

B. Types of Shared Services Agreements

The types of shared service agreements between the District and charter schools under this policy are described below:

1. "No-Fee Shared Service" – refers to products/services that are extended between the District and charter schools for use/access at no cost.
2. "Fee-for-Service" – refers to products/services offered to charter schools directly by the District or through purchasing arrangements (with external vendors) for a fee or pro rata/incremental cost (e.g. curriculum, textbooks, professional development, psychiatrists, therapists, etc.). Charter schools may also identify products/services that can be shared with the District under similar arrangements. Fee-for-Service agreements shall include, but are not limited to, agreements for the provision of social/emotional support, mental health services and professional development and training.
3. "Compliance Service" – refers to services that the District is required to provide to establish, maintain, and ensure compliance with state and federal law by charter schools. These services are funded (in whole or part) by the District authorizer fee from charter schools.

C. District Shared Service List and Standard Operating Procedures

The Superintendent (or designee) shall establish a District Shared Service Listing and Standard Operating Procedures (Shared Service Listing and SOP) for charter schools not later than December 2018.

Thereafter, the Shared Service List shall be updated annually no later than May 15th of each year and made available to existing and incoming charter schools.

D. Quality Assurance Access, Quality and Reporting

The Superintendent (or designee), in consultation with the Charter Partnership Council, shall establish a quality assurance process for monitoring and evaluating access to and the quality of the service/product provided. This process shall include, but is not limited to:

1. Establishing norms and expectations for access to and the provision of shared services;
2. Reviewing the quality of service/product based on defined expectations contained in shared service agreements;
3. Identifying opportunities for the District and charter schools to share services, programs, and learning;
4. Providing opportunities for District feedback to charter schools on improving process and communication for requesting and receiving services/products.

The Superintendent (or designee) and the Charter Partnership Council shall submit to the Board an annual report on the Shared Service/Product Quality Assurance.

XVI. FACILITIES USE AND PURCHASE

A. General Criteria for Prioritizing Facilities Rental and Purchase Decisions

The District shall consider the criteria below, as listed in order of general importance, when evaluating whether to approve a charter school's request to rent or purchase District-owned facilities:

1. *Criteria #1: Academic Growth & Student Achievement* – This includes evaluating the school's track record for maintaining high levels of academic growth and student achievement, as measured by the School Performance Framework, or the track record of operating other successful schools demonstrated leadership capability, and/or quality of its application. Other measures beyond the SPF may also be used in evaluating the academic performance for schools that are targeting a priority need of the District by meeting the academic needs of an underserved student population.
2. *Criteria #2: Strategic Alignment with District Objectives/Educational Priorities as identified in the EPDR* – Examples of such alignment might include evidence of the following:
 - a. A charter school providing opportunities directly targeted at meeting the needs of an underserved student population that has been identified as a priority for the District (e.g., intensive or alternative pathways schools in a specific area of the District);
 - b. A charter school proposed as a solution in an area of the District that has a significant academic performance gap, and supports an immediate need to replace a current low-performing program in the existing neighborhood;

- c. A charter school proposed as a solution in an area of the District that has been identified as needing a new school or expansion of existing capacity to meet student enrollment demand;
 - d. A charter school operating as a high-performing school in an area of the District that has been identified as having significant performance gaps in the area's existing schools;
 - e. A charter school working collaboratively with the District to adjust their proposed or current program or operational offering(s) to more closely align with the District/Community needs. Examples could include: increased enrollment priority for students qualifying for free-and- reduced lunch/identified as economically disadvantaged; offering Pre-K, EL or special education program services; offering increased services for off-track students; and providing equity of access and opportunity for socio-economic integration desired by the community.
3. *Criteria #3: Monetary offer, timing of sale, condition of facility* – A higher priority will be placed on selling buildings (or land) to charter schools based on the best offer. Consideration shall be given for offers to lease facilities that include variations of lease amounts, coverage of deferred maintenance, on- going preventive maintenance, all operating expenses, utilities and repairs. The District will consider its needs related to deferred maintenance and new buildings, and shall seek the best deal, at the right time. Facilities with a Facility Condition Index (FCI) over 20% shall be designated as unavailable for lease due to poor condition
4. *Criteria #4: Strong enrollment demand; declining/increasing enrollment population and community support* - Without regard to status as a new or existing school, the nature of enrollment demand may be evidenced by extensive student waiting lists, low enrollment in surrounding schools, community petitions and/or other forms of testimony

The District shall also consider other factors as presented by the District office responsible for business operations.

If more than one school meets the criteria for the same facility, the District will provide its recommendation based upon the “best available option” defined in alignment with the criteria and considerations listed above. In each case, these criteria and considerations will be evaluated in aggregate in determining the ability to meet the facility request relative to available resources and other needs in making recommendations to the Board.

B. Process for Facility Rental/Purchase Requests and Recommendations

The Superintendent (or designee) shall be responsible for developing a process for charter schools to request and access District facilities, through rental and/or purchase. The Superintendent (or designee) is responsible for making recommendations to the Board related to charter school facility use. The Superintendent (or designee) shall develop a process for making recommendations to the Board for approval. The process shall include review and approval by the Board Committees responsible for Academics and Facilities prior to making a recommendation to the full Board for approval.

C. Facility Use Categories

- 1. *No Cost-Lease Use* - Based on the strength of Criteria #1 and #2, the Board may provide a charter school use of the District- owned facility at “No-Cost Lease”. However, on-going preventive maintenance, all operating expenses and utilities and repairs shall be the responsibility of the

charter school occupying the facility.

2. *Lease or Lease/Purchase* – Charter schools operating in District-owned facilities under a lease or purchase agreement as provided in policy 7002 Real Estate and that do not meet criteria listed above will be responsible for paying the agreed upon cost.
3. *Purchase* - Based on the strength of Criteria #1 and #2, and additional considerations such as coverage of deferred maintenance, on-going preventive maintenance needed, facility operating expenses, utilities and repairs, previous investments in referenced facility by charter school, and future investments in the facility and/or community, the Board may allow a charter school to purchase a District-owned facility at a lower than market (appraised value) cost. The purchase agreement may include a claw-back clause to ensure the facility remains in service to education and/or the public good should the charter school move or close.

D. Facilities Management

Pursuant to T.C.A. § 49-13-136, by October 1 each year, the District, using the state's guidelines for determining what constitutes the irregular or intermittent use of property, shall catalog all underutilized and vacant properties owned or operated by the District and all underutilized and vacant properties within any educational facility owned or operated by the District. The list shall be submitted to the TNDOE and the state comptroller of the treasury; and the District shall make all such properties available for use by charter schools operating in the District. This provision is not intended to frustrate the District's ability to plan for the use of underutilized or vacant properties owned or operated by the District.

The District may consider a charter school's ability to meet Criteria #1 and #2 (only Criteria #2 for new charters) in making facilities management decisions involving charter schools.

XVII. CHARTER PARTNERSHIP COUNCIL

A. General

The Board shall establish an advisory committee that shall be referred to as the Charter Partnership Council (CPC), and shall comply with SCBE Policy 0024 in the establishing of the CPC advisory committee, including the adopting of a charter. The CPC shall be created to advise and provide feedback and make recommendations to the Board in the following focus areas: accountability and oversight, funding and administrative fee, facilities, communications, adequate and appropriate access, shared services, and strategic academic and legislative partnerships. The CPC shall also be expected to provide feedback and make recommendations to the Board regarding charter authorizer accountability and use of the authorizer fee.

B. CPC Responsibilities

The responsibilities of the CPC shall be as follows:

1. To create norms and expectations for feedback and recommendations to the Board;
2. To identify, discuss and make recommendations supporting transparency between SCS and its charter schools, accountability, and adequate and appropriate access to services and resources;
3. Recommend strategic partnerships;
4. Identify, discuss and make recommendations supporting access to high-quality school options/choice;
5. To review and make recommendations, where applicable, in accordance with the District Charter

- School Advisory Committee's First through Fourth Quarter Recommendations⁶; and
6. To discuss and advise on any other issues of mutual concern and joint opportunities the CPC may identify.

XVIII. POLICY IMPLEMENTATION, MONITORING AND REVIEW

The Superintendent (or designee) shall develop and ensure the implementation of a set of administrative rules and regulations that achieves the purpose and goals set forth in this policy. The administrative rules and regulations shall, at a minimum, do the following:

- Outline a charter school application process, which shall be submitted to the Board on an annual basis for review and input sufficiently in advance of opening the application process, that identifies application questions, follows fair, transparent procedures and rigorous criteria, includes review of applicant responses by the CART and an interview with each applicant (if requested by the charter sponsor), and recommends charter applicants to the Board that demonstrate strong capacity to establish and operate a quality charter school⁷;
- Outline a charter school application interview process that is clearly communicated and applied to all applicants in a fair, transparent and equitable manner, with a summary of each interview provided to the Board as part of the charter recommendation process;
- Outline a clear and transparent application process for each category of conversion requests identified in this policy;
- Outline an application process for charter school requests for grade band expansions, charter agreement modifications, or school replications that is fair, transparent, and rigorous. The process may include, but not be limited to, an assessment of the EPDR and Fiscal Impact of the expansion, modification, or replication request;
- Concerning the Performance Accountability Framework, establish:
 - An Academic Accountability Timeline that sets forth the requirements for one (1) school year (with test data) of not meeting Academic expectations, and two (2) consecutive school years (with test data) of not meeting Academic expectations; and
 - An Operations and Financial Accountability Timeline that sets forth the requirements for one (1) school year of not meeting Operations and/or Financial expectations; and two (2) consecutive school years of not meeting Operations and/or Financial expectations.
- Outline a 5-year interim review and renewal process that is clearly communicated and applied to all charter schools in a fair, transparent, and equitable manner.
- Outline a renewal application timeline of relevant dates that aligns to this policy. The timeline, including any subsequent revisions to the timeline, will be reviewed and approved by the Board prior to its publication.
- Establish a District Shared Service Listing and Standard Operating Procedures for charter schools not later than December 2018, that shall be updated annually no later than May 15th of each subsequent year and made available to existing and incoming charter schools. The Shared Service SOP and Listing shall include, but shall not be limited to:
 - Listing of services/products available
 - Cost associated with the available services/products - No Fee Shared Service or Fee for Service

⁶ The District Charter School Advisory Committee First Through Fourth Quarter Recommendations were submitted to and accepted/approved by the Board on December 6, 2016, and October 31, 2017, respectively.

⁷ NACSA Principles & Standards for Quality Charter School Authorizing (2015).

- Description of the frequency and provision of the services/products
- Quality assurance expectation for the service/product provided
- Establish, in consultation with the Charter Partnership Council, a quality assurance process for monitoring and evaluating access to and the quality of the service/product provided.
- Provide opportunities for District feedback to charter schools on improving process and communication for requesting and receiving services/products.
- Outline a process for charter schools to access, use and/or purchase District-owned facilities, through use and/or purchase, that includes, but is not limited to, the following considerations: an assessment of strategic alignment with District objectives/educational priorities and needs; a review of charter school's academic performance; any monetary offer; previous investments in the facility by the charter school; condition of the building; and any other factors, where applicable.

This policy shall be reviewed by the Board every four (4) years or as otherwise provided herein or by law. The accompanying administrative rules and regulations and procedures shall be reviewed on an annual basis with a report presented to the Board (or its designee) for review of recommended revisions.

XIX. RESPONSIBILITIES

- A.** It is the responsibility of the District office responsible for charter schools to coordinate, conduct and monitor the processes identified in this policy in accordance with State law/rules/regulations/guidelines and other relevant Board policy, including promulgating administrative rules and regulations, and procedures to effectuate this policy.
- B.** It is the responsibility of the District office responsible for business operations, in conjunction with the Office responsible for charter schools, to coordinate and conduct the processes identified in this policy related to facilities.
- C.** It is the responsibility of the Superintendent to ensure this policy is implemented and followed.
- D.** It is the responsibility of the SCS Board of Education to govern the processes associated with charter school authorization, expansion, modification, conversion, renewal, non-renewal, revocation, closure, shared services, accountability, and use of District-owned facilities. It is further the Board's responsibility to make all decisions related to the authorization, expansion, modification, conversion, renewal, non-renewal, revocation, closure, shared services, accountability, and use of District-owned facilities; and review this policy as provided.

Legal References

T.C.A. 49-3-302

Tennessee Charter Schools Act of 2002 (T.C.A. § 49-13-101 et seq)

6.111 Quality Charter Authorizing Standards, TN State Board of Education Policy 6.800 Charter School Renewal

Related Policy

2012 Contract Requirement, Approval and Signatory Authority

7002 Real Estate